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Practitioner's Docket No. U 016045-2

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent application

of

Inventor(s)

for

Title of invention

OR

In re application of: Xiaoji FAN, et al.

Serial No.: 10/560,060 ✓

Filed: June 5, 2006

Group No.: 2445

Examiner: N/A

2445

Lin Liu

For: **NETWORK MANAGEMENT SYSTEM OF VIRTUAL PRIVATE NETWORK
AND THE METHOD THEREOF**

**Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450**

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
WITHIN THREE MONTHS OF FILING OR
BEFORE MAILING OF FIRST OFFICE ACTION (37 C.F.R. 1.97(b))**

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NOTE: 37 C.F.R. 1.98(b):

- (1) *Each U.S. patent listed in an information disclosure statement must be identified by inventor, patent number, and issue date.*
- (2) *Each U.S. patent application published listed in an information disclosure statement shall be identified by applicant, patent application publication number, and publication date.*
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- (4) *Each foreign patent or published foreign patent application listed in an information disclosure statement must be identified by the country or patent office which issued the patent or published the application, an appropriate document number, and the publication date indicated on the patent or published application.*
- (5) *Each publication listed in an information disclosure statement must be identified by publisher, author (if any), title, relevant pages of the publication, date, and place of publication.*

WARNING: *No extension of time can be had under 37 C.F.R. § 1.36 (a) or (b) for filing an IDS. 37 C.F.R. § 1.97(f).*

NOTE: *The "filing date of a national application" under 37 C.F.R. 1.97(b) has two possible meanings. Where the filing is a direct one to the United States Patent & Trademark office, the filing is defined in 37 C.F.R. 1.53(b) as "the date on which: (1) A specification containing a description pursuant to § 1.71 and at least one claim pursuant to § 1.75; and (2) any drawing required by § 1.81(a), are filed in the Patent and Trademark Office in the name of the actual inventor or inventors as required by § 1.41." 37 C.F.R. 1.97(b)(1). On the other hand, an international application that enters the national stage occurs when the applicant has filed the documents and fees required by 35 U.S.C. § 371(c) within the periods set forth in § 1.494 or § 1.495. 35 U.S.C. § 371(c) requires the filing of the following: (1) the national fee; (2) a copy of the international application, unless already sent by the International Bureau, and an English translation if filed in another language; (3) amendments under PCT Article 19, with a translation into English if made in another language; (4) an oath or declaration; and (5) a translation into English of any annexes to the international preliminary examination report, if such annexes were made in another language. 37 C.F.R. 1.97(b)(2).*

IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING INFORMATION DISCLOSURE STATEMENT

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. 1.97(b).

NOTE: *"No certification or fee is due when the filing is made within the above time period. It is advisable to ensure that no Office action has been mailed if the disclosure statement is delayed until after three months from filing."*

NOTE: *"An information disclosure statement will be considered to have been filed on the day it was received in the Office, or on an earlier date of a mailing if accompanied by a properly executed certificate of mailing under 37 C.F.R. 1.8, or Express Mail certificate under 37 C.F.R. 1.10. An office action is mailed on the date indicated in the Office action." Notice of April 20, 1992 (1138 O.G. 37-41, 39).*

NOTE: *"The term 'national application' includes continuing applications (continuations, divisions, continuations-in-part) so three-months will be measured from the actual filing date of an application as opposed [sic] to the effective date of a continuing application." Notice of April 20, 1992 (1138 O.G. 37-41, 39).*

NOTE: "An action on the merits means an action which treats the patentability of the claims in an application, as opposed to only formal or procedural requirements. An action on the merits would, for example, contain a rejection or indication of allowability of a claim or claims rather than just a restriction requirements (37 C.F.R. 1.142) or just a requirement for additional fees to have a claim considered (37 C.F.R. 1.16(d)). Thus, if an application was filed on Jan. 1 and the first Office action on the merits was not mailed until six months later on July 1, the examiner would be required to consider any proper information disclosure statement filed prior to July 1." Notice of April 20, 1992 (1138 O.G. 37-41, 39).


WARNING: "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 C.F.R. 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63). But see § 103(b) and (c), limited suspension of action in a continued prosecution application (CPA) filed under § 1.53(d) and in a request for continued examination (RCE) under § 1.114.

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SIGNATURE OF PRACTITIONER

Clifford J. Mass

(type or print name of practitioner)

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Xiaoji FAN, et al.

Serial No.: 10/560,060

Group No. 2141

Filed: June 5, 2006

Examiner: N/A

For: NETWORK MANAGEMENT SYSTEM OF VIRTUAL PRIVATE NETWORK
AND THE METHOD THEREOF

Attorney Docket No.: U 016045-2

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

We draw the attention of the Examiner to the attached English-language version of an International-type Search Report from a foreign office in respect of counterpart EP 03 78 5478 that indicates the degree of relevance found by the foreign office. The Search Report makes consideration of any non-English art required. MPEP 609.

CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10*

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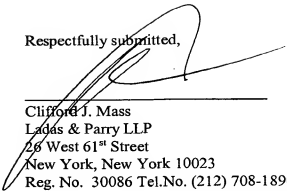
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(Information Disclosure Statement Short Form—page 1 of 1) 6-1a

Form PTO-1449 is also attached with reference copies.

Respectfully submitted,



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FORM PTO-1449	U. S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. U 016045-2	SERIAL NO. 10/560,060
 <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p>(Use several sheets if necessary)</p>		APPLICANT Xiaoji FAN et al.	
		FILING DATE June 5, 2006	GROUP 2445

U.S. PATENT DOCUMENTS

EXAMINER INITIALS	REFERENCE DESIGNATION	DOCUMENT NUMBER	DATE	NAME	FILING DATE IF APPROPRIATE
/LL/	AA	2003/0079043	04/2003	Chang et al.	
	AB				
	AC				
	AD				
	AE				
	AF				
	AG				
	AH				
	AI				
	AJ				
	AK				

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION	
					YES	NO
/LL/	AL	02/082315	10/2002	WO		
	AM					
	AN					
	AO					
	AP					

OTHER ART (Including Author, Title, Date, Pertinent Dates, Etc.)

/LL/	AR	King, A. et al. "Protocols and Architecture for Managing TCP/IP Network Infrastructures" <i>Computer Communications</i> (2000) Vol. 23, No. 16, pp 1558-1572
/LL/	AS	Canela, Z. et al. "Integrating Web-Based User Interfaces in TMN Systems" <i>Network Operations and Management Symposium</i> (1998) Vol. 1, pp 110-119
/LL/	AT	"Network Aspects (NA); Telecommunications Management Network (TMN) Objectives, Principles, Concepts and Reference Configurations: ETR 037" <i>ETSI Standards, European Telecommunications Standards Institute</i> (1992) Vol. NA-4

EXAMINER	/Lin Liu/	DATE CONSIDERED	06/05/2010
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.